Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.IV/1
2 May 1990

Original: ENGLISH

Third session
Geneva, 23 April-2 May 1990

FINAL REPORT OF THE PREPARATORY COMMITTEE FOR THE FOURTH REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I. TERMS OF REFERENCE AND ORGANIZATION OF THE COMMITTEE'S WORK

1. In the Final Declaration of the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, under the section "Review of the Operation of the Treaty and Recommendations", it is stated, with regard to article VIII of the Treaty:

> "The States Party to the Treaty participating in the Conference propose to the Depositary Governments that a fourth Conference to review the operation of the Treaty be convened in 1990.
>
> "The Conference accordingly invites States Party to the Treaty which are Members of the United Nations to request the Secretary-General of the United Nations to include the following item in the provisional agenda of the forty-third session of the General Assembly:
>
> 'Implementation of the conclusions of the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and establishment of a Preparatory Committee for the Fourth Conference.'"

2. At its forty-third session the General Assembly of the United Nations in resolution 43/82 noted that, following appropriate consultations, an open-ended preparatory committee had been formed of Parties to the Treaty on the Non-Proliferation of Nuclear Weapons serving on the Board of Governors of the International Atomic Energy Agency or represented in the Conference on Disarmament as well as any Party to the Treaty which would express its interest in participating in the work of the Preparatory Committee.

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3. Accordingly, the following 106 Parties participated in the work of one or more sessions of the Preparatory Committee: Afghanistan, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Benin, Bhutan, Bolivia, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Central African Republic, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, Czech and Slovak Federal Republic, Democratic People's Republic of Korea, Democratic Yemen, Denmark, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guinea-Bissau, Holy See, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malaysia, Maldives, Malta, Mauritius, Mexico, Mongolia, Morocco, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Viet Nam, Yemen Arab Republic, Yugoslavia and Zaire.

4. The Committee held three sessions: the first took place in New York from 1 to 5 May 1989, the second in Geneva from 11 to 15 September 1989 and the third in Geneva from 23 April to 2 May 1990. Progress reports on the first two sessions of the Committee were issued as documents NPT/CONF.IV/PC.I/4 and NPT/CONF.IV/PC.II/18/Rev.1.

5. At its first session, the Preparatory Committee unanimously elected Ambassador Bariyu Adeyemi (Nigeria), Ambassador Tadeusz Strulak (Poland) and Ambassador Chusei Yamada (Japan) to serve together as members of the Bureau for the three sessions that the Committee intended to hold and decided that Ambassador Yamada would be the Chairman of the first session, Ambassador Strulak the Chairman of the second session and Ambassador Adeyemi the Chairman of the third session. When one member of the Bureau was serving as Chairman of a given session, the two other members would serve as Vice-Chairmen of the Committee. The Committee authorized its Bureau to handle technical and other matters in the period before the Review Conference. Furthermore, the Committee decided that the Chairman of the third session should open the Review Conference.

6. The Secretary-General of the United Nations was represented at the three sessions by Mr. Yasushi Akashi, Under-Secretary-General, United Nations Department for Disarmament Affairs. Mr. Arpad Prandler, Director of the Committee and Conference Services Branch of the Department for Disarmament Affairs and Deputy to the Under-Secretary-General, served as Deputy Representative of the Secretary-General and also acted as representative of the Secretary-General at the sessions, in the absence of Mr. Akashi. Mr. Derek Boothby, Principal Officer, United Nations Department for Disarmament Affairs, served as Secretary of the Committee. At one or more sessions the International Atomic Energy Agency was represented by

Mr. Michael Wilmshurst, Director, Division of External Relations,
Mr. Hector Hernandez-Mata, Senior Officer, Division of External Relations,
Mrs. Merle Opelz, Head of the IAEA Office in Geneva,
Mr. Berhanykun Andemicael, Representative of the Director-General of IAEA to the United Nations and Mr. Takis Papadimitropoulos, Division of External Relations of IAEA, Vienna. The Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean was represented by Dr. Antonio Stempel Paris, Secretary-General of the Agency.

7. At its first session the Committee decided to make every effort to adopt its decisions by consensus.

8. The Committee also decided that its working languages would be Arabic, English, French, Russian and Spanish.

9. The Committee decided that participation at sessions of the Preparatory Committee would be limited to Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

10. In accordance with the Committee's decision, summary records were provided only for the meetings of the third session (NPT/CONF.IV/PC.III/SR.1 to 9 and NPT/CONF.IV/PC.III/SR.1-9/Corrigendum), which are issued as Annex I to the present report. */

11. The Committee also decided that press releases should be issued at the conclusion of each session of the Preparatory Committee.

II. CONSIDERATION OF THE WORK OF THE REVIEW CONFERENCE

12. In the course of its sessions, the Committee considered the following questions relating to the organization and work of the Review Conference:

(a) Dates and venue of the Conference

(b) Provisional agenda

(c) Draft rules of procedure

(d) Organization of Committees

(e) Financing

(f) Background documentation

(g) Final document(s)

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*/ Being distributed separately.

READEX

13. In connection with the discussion of those questions, the following decisions were taken:

(a) Dates and venue of the Conference

At its first session the Committee decided that the Review Conference would take place in Geneva from 20 August to 14 September 1990.

(b) Provisional agenda

The Committee agreed to recommend, as the provisional agenda of the Fourth Review Conference, the agenda reflected in Annex II to the present report.

(c) Draft rules of procedure

At its first session the Committee decided that the rules of procedure for the Third Review Conference should be the draft rules of procedure for the Fourth Review Conference. The draft rules of procedure, as approved by the Committee, are attached to the present report as Annex IV.

(d) Organization of Committees

The Committee agreed to recommend for consideration by the Review Conference the allocation of items to the three Main Committees, as reflected in Annex III attached to this report.

(e) Financing

At its third session the Committee decided to accept the revised statement prepared by the Secretariat, pursuant to the Committee's request made at its second session, on the estimated cost of the Review Conference, including the sessions of the Preparatory Committee, contained in Annex IV to this report. At its first session, the Committee had agreed to apply the principle spelt out in the cost-sharing formula employed for the Third Review Conference, on the understanding that this should be supplemented in detail in the light of the addition of new States Parties to the Treaty and any changes that have been made since then in the United Nations scale of assessments.

(f) Background documentation

At its first session the Committee decided to invite the Secretary-General of the United Nations, the Director-General of the International Atomic Energy Agency (IAEA), the General Secretariat of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) and the Secretariat of the South Pacific Forum to prepare for the Committee's second session the following background papers, which should, in the view of the Committee, take into account and reflect adequately the views expressed in its discussion:

A. Secretariat of the United Nations

- Working Paper on the basic facts within the framework of the United Nations in connection with the realization of the purposes of the tenth paragraph of the Preamble of the Treaty on the Non-Proliferation of Nuclear Weapons

- Working Paper on the basic facts within the framework of the United Nations in connection with the realization of the purposes of articles I and II of the Treaty on the Non-Proliferation of Nuclear Weapons

- Working Paper on basic facts within the framework of the United Nations in connection with the realization of the purposes of articles IV and V of the Treaty on the Non-Proliferation of Nuclear Weapons

- Working Paper on basic facts within the framework of the United Nations in connection with the realization of the purposes of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons

- Working Paper on the dynamics and consequences of the nuclear arms race, including its qualitative, quantitative and vertical aspects

- Working Paper on the dynamics and consequences of the wider dissemination of nuclear weapons

- Studies relevant to the Treaty on the Non-Proliferation of Nuclear Weapons

- Report on the present status of negotiations of the Conference on Disarmament on "Nuclear Test Ban"

- Report on the present status of negotiations of the Conference on Disarmament on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control

- Report on the present status of negotiations of the Conference on Disarmament on "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons"

B. International Atomic Energy Agency (IAEA)

- Activities of IAEA under article III of the Treaty on the Non-Proliferation of Nuclear Weapons

- Activities of IAEA under article IV of the Treaty on the Non-Proliferation of Nuclear Weapons

- Activities of IAEA under article V of the Treaty on the Non-Proliferation of Nuclear Weapons

C. Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL)

- Memorandum from the General Secretariat of OPANAL prepared for the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

D. South Pacific Forum

- Memorandum from the Secretariat of the South Pacific Forum on the subject of the South Pacific Nuclear-Free Zone Treaty prepared for the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

In accordance with the Committee's request, background papers were submitted to the second session by the Secretariats of the United Nations, the IAEA, OPANAL and the South Pacific Forum. A representative of the IAEA made statements introducing its background papers. The Committee requested the Secretariats of the United Nations, the IAEA, OPANAL and the South Pacific Forum to update and revise their respective background papers in the light of comments made in the course of the discussions.

At the third session the Committee considered the 15 revised and updated background papers. Representatives of the IAEA and OPANAL made statements concerning their respective background papers. At that session the Committee requested the respective Secretariats as necessary to update the background papers and revise them where appropriate in the light of the comments made during its discussion for submission to the Review Conference (NPT/CONF.IV/2-16).

To assist the Review Conference, the Committee, at its first session, invited the nuclear-weapon States and other Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to provide, sufficiently in advance of the Review Conference, information relevant to the implementation of various articles of the Treaty, including especially article VI.

(g) Final document(s)

Regarding the subject of the final document(s) of the Review Conference, the Committee agreed that the Bureau should serve as the focal point in the period before the convening of the Conference for channelling any proposal that Parties may wish to make thereon.

III. OTHER BUSINESS

14. Under item 3 of the Committee's programme of work, at each session a number of delegations made statements addressing issues of substance regarding the Treaty on the Non-Proliferation of Nuclear Weapons and, at the third session, the delegation of Egypt submitted a working paper (NPT/CONF.IV/PC.III/19).

IV. OFFICERS OF THE CONFERENCE

15. At the first session, Mr. Nabil Fahmy, representative of Egypt, on behalf of the Group of Non-Aligned and Neutral States, informed the Committee of the endorsement by that Group of Ambassador Oswaldo de Rivero of Peru as candidate for the presidency of the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The candidacy received the unanimous endorsement of the Committee, which decided to recommend to the Fourth Review Conference the election of Mr. Oswaldo de Rivero as President.

16. At the third session, the Chairman informed the Committee that he had received the following nominations for the office of Chairman of each of the three Main Committees, the Drafting Committee and the Credentials Committee:

Main Committee I	Ambassador Bariyu A. Adeyemi (Nigeria) Vice-Chairmen: Bulgaria, Norway
Main Committee II	Ambassador Tadeusz Strulak (Poland) Vice-Chairmen: Netherlands, Philippines
Main Committee III	Ambassador Chusei Yamada (Japan) Vice-Chairmen: Czech and Slovak Federal Republic, Egypt
Drafting Committee	Ambassador Carl-Magnus Hyltenius (Sweden) Vice-Chairmen: Canada, Hungary
Credentials Committee	Ambassador Jan Henrik Groop (Finland).

The Committee gave its unanimous endorsement to these nominations, for election at the Conference itself.

V. APPOINTMENT OF THE SECRETARY-GENERAL OF THE REVIEW CONFERENCE

17. In the context of rule 10 of the Conference's draft rules of procedure providing for a Secretary-General of the Review Conference, the Committee, at its first session, decided to invite the Secretary-General of the

United Nations, in consultation with the members of the Preparatory Committee, to nominate an official to act on behalf of the Committee as provisional Secretary-General of the Review Conference, the nominee to be confirmed by the Review Conference itself in accordance with its rules of procedure. At the Committee's third session, the Chairman informed the Committee that, pursuant to that invitation, on 16 October 1989 the Secretary-General of the United Nations had nominated Mr. Arpad Prandler, Director of the Committee and Conference Services Branch of the United Nations Department for Disarmament Affairs and Deputy to the Under-Secretary-General, as provisional Secretary-General of the Review Conference.

VI. PARTICIPATION IN THE REVIEW CONFERENCE

18. The Committee also decided that invitations to States, which, in accordance with the decision on participation, were entitled to participate in the Conference, as well as to the Secretary-General of the United Nations and the Director-General of the IAEA, should be issued by the Chairman of the third session of the Preparatory Committee. It was also decided that the Governments of States intending to participate in the Conference should be requested to so notify the provisional Secretary-General of the Review Conference before 27 July 1990.

VII. ADOPTION OF THE FINAL REPORT OF THE PREPARATORY COMMITTEE

19. At its final meeting on 2 May 1990, the Preparatory Committee adopted its Final Report.

Annex I

Summary Records of the meetings of the third session of the Preparatory Committee */

(23 April-2 May 1990)

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*/ Being distributed separately as NPT/CONF.IV/PC.III/SR.1 to 9 and NPT/CONF.IV/PC.III/SR.1-9/Corrigendum.

Annex II

PROVISIONAL AGENDA

1. Opening of the Conference by the Chairman of the third session of the Preparatory Committee

2. Election of the President

3. Submission of the Final Report of the Preparatory Committee

4. Adoption of the Rules of Procedure

5. Election of Chairmen and Vice-Chairmen of the Main Committees, the Drafting Committee and the Credentials Committee

6. Election of Vice-Presidents

7. Credentials of representatives to the Conference

   (a) Appointment of the Credentials Committee

   (b) Report of the Credentials Committee

8. Confirmation of the nomination of the Secretary-General

9. Adoption of the Agenda

10. Programme of Work

11. Adoption of arrangements for meeting the costs of the Conference

12. General Debate

13. Review of the operation of the Treaty as provided for in its Article VIII (3):

    A. Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security:

       (1) Articles I and II and preambular paragraphs 1-3

       (2) Article VI and preambular paragraphs 8-12

       (3) Article VII with specific reference to the main issues in A and B

B. Security assurances:

(1) Resolution 255 (1968) of the United Nations Security Council

(2) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

(3) Consideration of proposed agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (proposal by Nigeria)

C. Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones;

(1) Article III and preambular paragraphs 4 and 5, especially in their relationship to Article IV and preambular paragraphs 6 and 7

(2) Articles I and II and preambular paragraphs 1-3 in their relationship to Articles III and IV

(3) Article VII

D. Implementation of the provisions of the Treaty relating to peaceful applications of nuclear energy:

(1) Articles III (3) and IV, preambular paragraphs 6 and 7, especially in their relationship to Article III (1, 2, 4) and preambular paragraphs 4 and 5 as well as to Articles I and II

(2) Article V

E. Other provisions of the Treaty

14. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament and in strengthening international peace and security

A. Acceptance of the Treaty by States

B. Measures aimed at promoting a wider acceptance of the Treaty

15. Reports of the Main Committees

16. Other questions

17. Preparation and adoption of Final Document

Annex III

PROPOSED ALLOCATION OF ITEMS TO THE MAIN COMMITTEES OF THE CONFERENCE

The Preparatory Committee agreed to recommend for consideration by the Review Conference the following allocation of items to the three Main Committees, with the understanding that the remaining items would be considered in the Plenary:

(a) To Main Committee I:

- item 13. Review of the operation of the Treaty as provided for in its Article VIII (3):

Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security:

(1) Articles I and II and preambular paragraphs 1-3.

(2) Article VI and preambular paragraphs 8-12.

(3) Article VII, with specific reference to the main issues considered in this Committee.

Security assurances:

(1) Resolution 255 (1968) of the United Nations Security Council.

(2) Effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons.

(3) Consideration of proposed agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States Parties to the treaty on the Non-Proliferation of Nuclear Weapons (proposal by Nigeria).

(b) To Main Committee II:

- item 13. Review of the operation of the Treaty as provided for in its Article VIII (3):

Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, safeguards and nuclear weapon free zones:

(1) Article III and preambular paragraphs 4 and 5, especially in their relationship to Article IV and preambular paragraphs 6 and 7.

(2) Articles I and II and preambular paragraphs 1-3 in their relationship to Articles III and IV.

(3) Article VII.

Other provisions of the Treaty.

- item 14. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament and in strengthening international peace and security:

A. Acceptance of the Treaty by States.

B. Measures aimed at promoting a wider acceptance of the Treaty.

(c) To Main Committee III:

- item 13. Review of the operation of the Treaty as provided for in its Article VIII (3):

Implementation of the provisions of the Treaty relating to peaceful applications of nuclear energy:

(1) Articles IV and III (3) preambular paragraphs 6 and 7, especially in their relationship to Article III (1, 2, 4) and preambular paragraphs 4 and 5 as well as to Articles I and II.

(2) Article V.

- item 14. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament and in strengthening international peace and security:

A. Acceptance of the Treaty by States.

B. Measures aimed at promoting a wider acceptance of the Treaty.

Remarks with regard to allocation of agenda items

It is understood that all articles, preambular paragraphs and agenda items allocated to the Main Committees shall be reviewed in their interrelationship. Main Committee I is entrusted with the task of assessing the extent to which obligations of Articles I, II and VI are being met.

Drafting Committee

The Drafting Committee shall convene not later than on the first day of the fourth week of the Conference in order to carry out its functions in accordance with rule 36 of the Rules of Procedure, at which time all relevant texts and proposals shall have been referred to it by the Main Committees. It is understood that the Drafting Committee, while carrying out its functions, shall consider all elements of the Treaty in their interrelationship.

Annex IV

RULES OF PROCEDURE

I. REPRESENTATION AND CREDENTIALS

Delegations of Parties to the Treaty

Rule 1

1. Each State Party to the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter "the Treaty") may be represented at the Conference by a head of delegation and such other representatives, alternate representatives and advisers as may be required.

2. The head of delegation may designate an alternate representative or an adviser to act as a representative.

Credentials

Rule 2

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Conference, if possible not less than one week before the date fixed for the opening of the Conference. Credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs.

Credentials Committee

Rule 3

The Conference shall establish a Credentials Committee composed of the Chairman and two Vice-Chairmen elected in accordance with rule 5, and six members appointed by the Conference on the proposal of the President. The Committee shall examine the credentials of representatives and report to the Conference without delay.

Provisional participation

Rule 4

Pending a decision of the Conference upon their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. OFFICERS

Election

Rule 5

The Conference shall elect the following officers: a President and 26 Vice-Presidents, as well as a Chairman and two Vice-Chairmen for each of the three Main Committees, the Drafting Committee and the Credentials Committee.

Acting President

Rule 6

1. If the President is absent from a meeting or any part thereof, he shall designate a Vice-President to take his place.

2. A Vice-President acting as President shall have the same powers and duties as the President.

Voting rights of the President

Rule 7

The President, or a Vice-President acting as President, shall not vote, but shall appoint another member of his delegation to vote in his place.

III. GENERAL COMMITTEE

Composition

Rule 8

1. The General Committee shall be composed of the President of the Conference, who shall preside, the 26 Vice-Presidents, the Chairmen of the three Main Committees, the Chairman of the Drafting Committee and the Chairman of the Credentials Committee. No two members of the General Committee shall be members of the same delegation and it shall be so constituted as to ensure its representative character.

2. If the President is unable to attend a meeting of the General Committee, he may designate a Vice-President to preside at such meeting and a member of his delegation to take his place. If a Vice-President is unable to attend, he may designate a member of his delegation to take his place. If the Chairman of a Main Committee, the Drafting Committee or the Credentials Committee is unable to attend, he may designate one of the Vice-Chairmen to take his place, with the right to vote unless he is of the same delegation as another member of the General Committee.

Functions

Rule 9

The General Committee shall assist the President in the general conduct of the business of the Conference and, subject to the decisions of the Conference, shall ensure the co-ordination of its work.

IV. CONFERENCE SECRETARIAT

Duties of the Secretary-General of the Conference

Rule 10

1. There shall be a Secretary-General of the Conference. He shall act in that capacity in all meetings of the Conference, its committees and working groups, and may designate a member of the Secretariat to act in his place at these meetings.

2. The Secretary-General of the Conference shall direct the staff required by the Conference.

Duties of the Secretariat

Rule 11

The Secretariat of the Conference shall, in accordance with these rules:

(a) interpret speeches made at meetings;

(b) receive, translate and circulate the documents of the Conference;

(c) publish and circulate any report of the Conference;

(d) make and arrange for the keeping of sound recordings and summary records of meetings;

(e) arrange for the custody of the documents of the Conference in the archives of the United Nations and provide authentic copies of these documents to each of the depository Governments, and

(f) generally perform all other work that the Conference may require.

Costs

Rule 12 */

The costs of the Review Conference, including the sessions of the Preparatory Committee, will be met by the States Parties to the Treaty participating in the Review Conference in accordance with the detailed schedule attached as an Appendix. States which have signed but not yet ratified the Treaty, and which accept the invitation to take part in the Review Conference as provided by Rule 44, will share in such costs to the extent of their respective rates of assessment under the United Nations scale (and on an estimated basis for those participants not members of the United Nations).

V. CONDUCT OF BUSINESS

Quorum

Rule 13

A majority of the States Parties to the Treaty participating in the Conference shall constitute a quorum.

General powers of the President

Rule 14

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall preside at the plenary meetings of the Conference; he shall declare the opening and closing of each meeting, direct the discussion, ensure observance of these rules, accord the right to speak, ascertain consensus, put questions to the vote and announce decisions. He shall rule on points of order. The President, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representative of each State may speak on the question, the adjournment or the closure of the debate and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his functions, remains under the authority of the Conference.

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*/ It is understood that all financial arrangements for the Review Conference do not constitute a precedent.

Points of order

Rule 15

A representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Speeches

Rule 16

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 15, 17 and 19-22, the President shall call upon speakers in the order in which they signify their desire to speak.

2. Debate shall be confined to the subject under discussion and the President may call a speaker to order if his remarks are not relevant thereto.

3. The Conference may limit the time allowed to speakers and the number of times the representative of each State may speak on a question; permission to speak on a motion to set such limits shall be accorded only to two representatives in favour of and to two opposing such limits, after which the motion shall be immediately put to the vote. In any event, the President shall limit interventions on procedural questions to a maximum of five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him to order without delay.

Precedence

Rule 17

The Chairman of a committee may be accorded precedence for the purpose of explaining the conclusion arrived at by his committee.

Closing of list of speakers

Rule 18

During the course of a debate the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. When the debate on an item is concluded because there are no more speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure pursuant to rule 22.

Right of reply

Rule 19

Notwithstanding rule 18, the President may accord the right of reply to a representative of any State participating in the Conference. Such statements shall be as brief as possible and shall, as a general rule, be delivered at the end of the last meeting of the day.

Suspension or adjournment of the meeting

Rule 20

A representative may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and they shall, subject to rule 23, be immediately put to the vote.

Adjournment of debate

Rule 21

A representative may at any time move the adjournment of the debate on the question under discussion. Permission to speak on the motion shall be accorded only to two representatives in favour of and to two opposing the adjournment after which the motion shall, subject to rule 23, be immediately put to the vote.

Closure of debate

Rule 22

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall, subject to rule 23, be immediately put to the vote.

Order of motions

Rule 23

The motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

(a) to suspend the meeting;

(b) to adjourn the meeting;

(c) to adjourn the debate on the question under discussion;

(d) to close the debate on the question under discussion.

Submission of proposals and substantive amendments

Rule 24

Proposals and substantive amendments shall normally be submitted in writing to the Secretary-General of the Conference, who shall circulate copies to all delegations. Unless the Conference decides otherwise, proposals and substantive amendments shall be discussed or decided on no earlier than 24 hours after copies have been circulated in all languages of the Conference to all delegations.

Withdrawal of proposals and motions

Rule 25

A proposal or a motion may be withdrawn by its sponsor at any time before a decision on it has been taken, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Decision on competence

Rule 26

Any motion calling for a decision on the competence of the Conference to adopt a proposal submitted to it, shall be decided upon before a decision is taken on the proposal in question.

Reconsideration of Proposals

Rule 27

Proposals adopted by consensus may not be reconsidered unless the Conference reaches a consensus on such reconsideration. When a proposal has been adopted or rejected by a majority or two-thirds vote, it may not be reconsidered unless the Conference, by a two-thirds majority of the members present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

VI. VOTING AND ELECTIONS

Adoption of decisions

Rule 28

1. Decisions on matters of procedure and in elections shall be taken by a majority of representatives present and voting.

2. The task of the Review Conference being to review the operation of the Treaty with a view to assuring that the purposes of the preamble and the provisions of the Treaty are being realized, and thus to strengthen its effectiveness, every effort should be made to reach agreement on substantive matters by means of consensus. There should be no voting on such matters until all efforts to achieve consensus have been exhausted.

3. If, notwithstanding the best efforts of delegates to achieve a consensus, a matter of substance comes up for voting, the President shall defer the vote for 48 hours and during this period of deferment shall make every effort, with the assistance of the General Committee, to facilitate the achievement of general agreement, and shall report to the Conference prior to the end of the period.

4. If by the end of the period of deferment the Conference has not reached agreement, voting shall take place and decisions shall be taken by a two-thirds majority of the representatives present and voting, providing that such majority shall include at least a majority of the States participating in the Conference.

5. If the question arises whether a matter is one of procedure or of substance, the President of the Conference shall rule on the question. An appeal against this ruling shall immediately be put to the vote and the President's ruling shall stand unless the appeal is approved by a majority of the representatives present and voting.

6. In cases where a vote is taken in accordance with paragraphs 1 and 4 above, the relevant rules of procedure relating to voting of the General Assembly of the United Nations shall apply, except as otherwise specifically provided herein.

Voting rights

Rule 29

Every State Party to the Treaty shall have one vote.

Meaning of the phrase "representatives present and voting"

Rule 30

For the purposes of these rules, the phrase "representatives present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting are considered as not voting.

Elections

Rule 31

All elections shall be held by secret ballot, unless the Conference decides otherwise in an election where the number of candidates does not exceed the number of elective places to be filled.

Rule 32

1. If, when only one elective place is to be filled, no candidate obtains in the first ballot the majority required, a second ballot shall be taken, confined to the two candidates having obtained the largest number of votes. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. In the case of a tie in the first ballot among the candidates obtaining the second largest number of votes, a special ballot shall be held among such candidates for the purpose of reducing their number to two; similarly, in the case of a tie among three or more candidates obtaining the largest number of votes, a special ballot shall be held; if a tie again results in this special ballot, the President shall eliminate one candidate by drawing lots and thereafter another ballot shall be held in accordance with paragraph 1.

Rule 33

1. When two or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot the majority required and the largest number of votes, shall be elected.

2. If the number of candidates obtaining such majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places, provided that if only one place remains to be filled the procedures in rule 32 shall be applied. The ballot shall be restricted to the unsuccessful candidates having obtained the largest number of votes in the previous ballot, but not exceeding twice the number of places remaining to be filled. However, in the case of a tie between a greater number of unsuccessful candidates a special ballot shall be held for the purpose of reducing the number of candidates to the required number; if a tie again results among more than the required number of candidates, the President shall reduce their number to that required by drawing lots.

3. If such a restricted ballot (not counting a special ballot held under the conditions specified in the last sentence of paragraph 2) is inconclusive, the President shall decide among the candidates by drawing lots.

VII. COMMITTEES

Main Committees and working groups

Rule 34

The Conference shall establish three Main Committees for the performance of its functions. Each such Committee may establish working groups. As a general rule each State Party to the Treaty participating in the Conference may be represented in the working groups unless otherwise decided.

Representation on the Main Committees

Rule 35

Each State Party to the Treaty participating in the Conference may be represented by one representative on each Main Committee. It may assign to these Committees such alternate representatives and advisers as may be required.

Drafting Committee

Rule 36

1. The Conference shall establish a Drafting Committee composed of representatives of the same States which are represented on the General Committee. It shall co-ordinate the drafting of and edit all texts referred to it by the Conference or by a Main Committee, without altering the substance of the texts, and report to the Conference or to the Main Committee as appropriate. It shall also, without reopening the substantive discussion on any matter, formulate drafts and give advice on drafting as requested by the Conference or a Main Committee.

2. Representatives of other delegations may also attend the meetings of the Drafting Committee and may participate in its deliberations when matters of particular concern to them are under discussion.

Officers and procedures

Rule 37

The rules relating to officers, the Conference Secretariat, conduct of business and voting of the Conference (contained in chapters II (rules 5-7), IV (rules 10-11), V (rules 13-27) and VI (rules 28-33) above) shall be applicable, *mutatis mutandis*, to the proceedings of committees and working groups, except that:

(a) unless otherwise decided, any working group shall elect a chairman and such other officers as it may require;

(b) the Chairmen of the General, the Drafting and the Credentials Committees and the Chairmen of working groups may vote in their capacity as representatives of their States;

(c) a majority of the representatives on the General, Drafting and Credentials Committees or on any working group shall constitute a quorum; the Chairman of a Main Committee may declare a meeting open and permit the debate to proceed when at least one quarter of the representatives of the States participating in the Conference are present.

VIII. LANGUAGES AND RECORDS

Languages of the Conference

Rule 38

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Conference.

Interpretation

Rule 39

1. Speeches made in a language of the Conference shall be interpreted into the other languages.

2. A representative may make a speech in a language other than a language of the Conference if he provides for interpretation into one such language. Interpretation into the other languages of the Conference by interpreters of the Secretariat may be based on the interpretation given in the first such language.

Language of official documents

Rule 40

Official documents shall be made available in the languages of the Conference.

Sound recordings of meetings

Rule 41

Sound recordings of meetings of the Conference and of all committees shall be made and kept in accordance with the practice of the United Nations. Unless otherwise decided by the Main Committee concerned, no such recordings shall be made of the meetings of a working group thereof.

Summary records

Rule 42

1. Summary records of the plenary meetings of the Conference and of the meetings of the Main Committees shall be prepared by the Secretariat in the languages of the Conference. They shall be distributed in provisional form as soon as possible to all participants in the Conference. Participants in the debate may, within three working days of receipt of provisional summary records, submit corrections on summaries of their own interventions to the Secretariat; in special circumstances, the presiding officer may, in consultation with the Secretary-General of the Conference, extend the time for submitting corrections. Any disagreement concerning such corrections shall be decided by the presiding officer of the body to which the record relates, after consulting, where necessary, the sound recordings of the proceedings. Separate corrigenda to provisional records shall not normally be issued.

2. The summary records, with any corrections incorporated, shall be distributed promptly to participants in the Conference.

IX. PUBLIC AND PRIVATE MEETINGS

Rule 43

1. The plenary meetings of the Conference and the meetings of the Main Committees shall be held in public unless the body concerned decides otherwise.

2. Meetings of other organs of the Conference shall be held in private.

X. PARTICIPATION AND ATTENDANCE

Rule 44

1. Signatories

Any State signatory to the Treaty which has not yet ratified it shall be entitled to participate, without taking part in the adoption of decisions, whether by consensus or by vote, in the deliberations of the Conference, subject to prior written notification to the Secretary-General of the Conference. This means that any of those signatory States shall be entitled to appoint officials to attend meetings of the Plenary and of the Main Committees; to address such meetings; to receive the documents of the Conference and to submit its views in writing to the Conference, which shall be considered as Conference documents.

2. Observers

(a) Any other State which, in accordance with Article IX of the Treaty, has the right to become a Party thereto but which has neither signed nor ratified it may apply to the Secretary-General of the Conference for Observer status, which will be accorded on the decision of the Conference. */ Such a State shall be entitled to appoint officials to attend meetings of the Plenary and of the Main Committees other than those designated closed meetings, and to receive documents of the Conference. An Observer State shall also be entitled to submit documents to the participants in the Conference.

(b) Any national liberation organization entitled by the General Assembly of the United Nations **/ to participate as an Observer in the sessions and the work of the General Assembly, all international conferences convened under the auspices of the General Assembly, and all international conferences convened under the auspices of other organs of the United Nations, may apply to the Secretary-General of the Conference for Observer status, which will be accorded on the decision of the Conference. Such a liberation organization shall be entitled to appoint officials to attend meetings of the Plenary and of the Main Committees other than those designated closed meetings, and to receive documents of the Conference. An Observer organization shall also be entitled to submit documents to the participants in the Conference.

3. The United Nations and the International Atomic Energy Agency

The Secretary-General of the United Nations and the Director-General of the International Atomic Energy Agency, or their representatives, shall be entitled to attend meetings of the Plenary and of the Main Committees and to receive the Conference documents. They shall also be entitled to submit material, both orally and in writing.

4. Specialized Agencies and Regional Intergovernmental Organizations

The Agency for the Prohibition of Nuclear Weapons in Latin America, other regional intergovernmental organizations and any specialized agency of the United Nations may apply to the Secretary-General of the Conference for Observer Agency status, which will be accorded on the decision of the Conference. An Observer Agency shall be entitled to appoint officials to attend meetings of the Plenary and of the Main Committees, other than those

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*/ It is understood that any such decision will be in accordance with the practice of the United Nations General Assembly.

**/ Pursuant to General Assembly resolutions 3237 (XXIX) of 22 November 1974, 3280 (XXIX) of 10 December 1974 and 152/31 of 20 December 1976.

designated closed meetings and to receive the documents of the Conference. The Conference may also invite them to submit, in writing, their views and comments on questions within their competence, which may be circulated as Conference documents.

5. Non-Governmental Organizations

Representatives of non-governmental organizations who attend meetings of the Plenary or of the Main Committees will be entitled upon request to receive the documents of the Conference.

APPENDIX
(to rule 12)

Schedule for the Division of Costs

This schedule is based on the list of Parties to the Treaty as at the beginning of the third Session of the Preparatory Committee on 23 April 1990.

Costs will be divided as follows:

1. (a) The Union of Soviet Socialist Republics will pay 16.05 per cent of the total; the United Kingdom of Great Britain and Northern Ireland will pay 6.13 per cent of the total; and the United States of America will pay 32.82 per cent of the total;

(b) The other States Parties will divide the balance among themselves according to the ratios of their respective assessments under the United Nations scale; */

2. The schedule for the division of costs will be subject to review in the light of the actual participation in the Conference.

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*/ The assigned contributions of States Parties not members of the United Nations will be based on estimates.

COST-SHARING FORMULA FOR THE FOURTH REVIEW CONFERENCE OF THE PARTIES */
TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

		Share of Costs (in %)
A.	Depositaries	
1.	Union of Soviet Socialist Republics	16.05
2.	United Kingdom of Great Britain and Northern Ireland	6.13
3.	United States of America	32.82
	Subtotal	55.00
B.	Other Parties	
1.	Afghanistan	.01
2.	Antigua and Barbuda	.01
3.	Australia	1.44
4.	Austria	.68
5.	Bahamas	.02
6.	Bahrain	.02
7.	Bangladesh	.01
8.	Barbados	.01
9.	Belgium	1.07
10.	Belize	.01
11.	Benin	.01
12.	Bhutan	.01
13.	Bolivia	.01
14.	Botswana	.01
15.	Brunei Darussalam	.04
16.	Bulgaria	.14
17.	Burkina Faso	.01
18.	Burundi	.01
19.	Cambodia	.01
20.	Cameroon	.01
21.	Canada	2.83
22.	Cape Verde	.01
23.	Central African Republic	.01
24.	Chad	.01
25.	Colombia	.13
26.	Congo	.01
27.	Costa Rica	.02
28.	Côte d'Ivoire	.02
29.	Cyprus	.02
30.	Czech and Slovak Federal Republic	.60
31.	Democratic People's Republic of Korea	.04

*/ Parties reported by depositary Governments.

		Share of Costs (in %)
32.	Democratic Yemen	.01
33.	Denmark	.63
34.	Dominica	.01
35.	Dominican Republic	.03
36.	Ecuador	.03
37.	Egypt	.06
38.	El Salvador	.01
39.	Equatorial Guinea	.01
40.	Ethiopia	.01
41.	Fiji	.01
42.	Finland	.47
43.	Gabon	.03
44.	Gambia	.01
45.	German Democratic Republic	1.17
46.	Germany, Federal Republic of	7.40
47.	Ghana	.01
48.	Greece	.37
49.	Grenada	.01
50.	Guatemala	.02
51.	Guinea	.01
52.	Guinea-Bissau	.01
53.	Haiti	.01
54.	Holy See	.01
55.	Honduras	.01
56.	Hungary	.19
57.	Iceland	.03
58.	Indonesia	.14
59.	Iran (Islamic Republic of)	.63
60.	Iraq	.11
61.	Ireland	.16
62.	Italy	3.66
63.	Jamaica	.01
64.	Japan	10.43
65.	Jordan	.01
66.	Kenya	.01
67.	Kiribati	.01
68.	Kuwait	.26
69.	Lao People's Democratic Republic	.01
70.	Lebanon	.01
71.	Lesotho	.01
72.	Liberia	.01
73.	Libyan Arab Jamahiriya	.25
74.	Liechtenstein	.01
75.	Luxembourg	.05
76.	Madagascar	.01
77.	Malawi	.01
78.	Malaysia	.10
79.	Maldives	.01

		Share of Costs (in %)
80.	Mali	.01
81.	Malta	.01
82.	Mauritius	.01
83.	Mexico	.86
84.	Mongolia	.01
85.	Morocco	.04
86.	Nauru	.01
87.	Nepal	.01
88.	Netherlands	1.51
89.	New Zealand	.22
90.	Nicaragua	.01
91.	Nigeria	.18
92.	Norway	.50
93.	Panama	.02
94.	Papua New Guinea	.01
95.	Paraguay	.03
96.	People's Republic of Kampuchea	.01
97.	Peru	.05
98.	Philippines	.08
99.	Poland	.51
100.	Portugal	.16
101.	Qatar	.04
102.	Republic of Korea	.20
103.	Romania	.17
104.	Rwanda	.01
105.	Saint Kitts and Nevis	.01
106.	Saint Lucia	.01
107.	Saint Vincent and the Grenadines	.01
108.	Samoa	.01
109.	San Marino	.01
110.	Sao Tome and Principe	.01
111.	Saudi Arabia	.93
112.	Senegal	.01
113.	Seychelles	.01
114.	Sierra Leone	.01
115.	Singapore	.10
116.	Solomon Islands	.01
117.	Somalia	.01
118.	Spain	1.79
119.	Sri Lanka	.01
120.	Sudan	.01
121.	Suriname	.01
122.	Swaziland	.01
123.	Sweden	1.11
124.	Switzerland	.99
125.	Syrian Arab Republic	.04
126.	Thailand	.09

		Share of Costs (in %)
127.	Togo	.01
128.	Tonga	.01
129.	Trinidad and Tobago	.04
130.	Tunisia	.03
131.	Turkey	.29
132.	Tuvalu	.01
133.	Uganda	.01
134.	Uruguay	.04
135.	Venezuela	.52
136.	Viet Nam	.01
137.	Yemen Arab Republic	.01
138.	Yugoslavia	.42
139.	Zaire	.01
	Subtotal	45.00
	GRAND TOTAL	100.00